

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

<b>EVARISTO SERRANO-VARGAS,</b>	:	
<b>Petitioner</b>	:	
		<b>CIVIL ACTION NO. 3:17-0801</b>
<b>v.</b>	:	
		<b>(Judge Mannion)</b>
<b>CRAIG A. LOWE, Warden,</b>	:	
<b>Respondent</b>	:	

**ORDER**

For the reasons set forth in the Memorandum of this date, **IT IS**

**HEREBY ORDERED THAT:**

1. The petition for writ of habeas corpus, (Doc. [1](#)) is **GRANTED in part** to the extent that Petitioner will be afforded an individualized bond hearing.
2. Respondent shall provide Petitioner with an individualized bond hearing with an Immigration Judge forthwith and, in any event, no later than June 18, 2018.
3. At the bond hearing, the Immigration Judge must make an individualized inquiry into whether detention is still necessary to fulfill the purposes of ensuring that the Petitioner attends removal proceedings and that his release will not pose a danger to the community. [Chavez-Alvarez v. Warden York County Prison, 783 F.3d 469 \(3d Cir. 2015\)](#). At this hearing, the Government bears the burden of presenting evidence and proving that continued detention is necessary to fulfill the purposes of the detention statute. [Diop v. ICE/Homeland Sec., 656 F.3d 221, 233 \(3d Cir. 2011\)](#).
4. Within seven (7) days of the Immigration Judge's hearing, Respondent shall report to the District Court on the outcome

of the individualized bond hearing.

5. The Clerk of Court is directed to **CLOSE** this case.

s/ Malachy E. Mannion  
**MALACHY E. MANNION**  
**United States District Judge**

**Dated: May 18, 2018**

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